

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WENDY’S NETHERLANDS B.V.,	:	
	:	Case No. 2:24-cv-03077
Plaintiff,	:	
	:	Judge Michael H. Watson
v.	:	
	:	Magistrate Judge Kimberly Jolson
ANDREW LEVY,	:	
	:	
Defendant.	:	

**PLAINTIFF WENDY’S NETHERLANDS B.V.’S UNOPPOSED MOTION TO
CONTINUE EVIDENTIARY HEARING**

Now comes Plaintiff Wendy’s Netherlands B.V. (“Wendy’s”), by and through counsel, and pursuant to Rule 6(b)(1) of the Federal Civil Rules of Procedure, and hereby respectfully moves this Court to continue the evidentiary hearing in the above-captioned matter, which is currently scheduled for April 4, 2025. Defendant Andrew Levy (“Defendant”) has been consulted and does not oppose this Motion.

There is good cause to extend the evidentiary hearing scheduled in this matter. On January 28, 2025, this Court ordered the parties to appear for an evidentiary hearing, with respect to Defendant’s Motion to Vacate Cognovit Judgment, on March 13, 2025. Subsequently, on February 11, 2025, the Court rescheduled this hearing for April 4, 2025. Wendy’s corporate representative will not be available on this date as he will be traveling from April 4 through April 7, 2025. On February 16, 2025, counsel for Mr. Levy stated that Mr. Levy does not oppose the continuance of the hearing. Given the unavailability of Wendy’s vital representative, there is good cause to continue the evidentiary hearing to a date after April 7, 2025. Wendy’s will make itself readily available at any time most convenient for the Court following that date.

For these reasons, Wendy's requests that this Court continue the evidentiary hearing scheduled for April 4, 2025, to a later date.

Respectfully submitted,

/s/ Keith Shumate

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*Attorneys for Plaintiff Wendy's Netherlands
B.V.*

CERTIFICATE OF SERVICE

On February 19, 2025, this document was filed electronically with the Clerk of the United States Court for the Southern District of Ohio, Eastern Division, which will electronically serve a copy of the foregoing on all counsel of record for all parties.

/s/ Keith Shumate

Keith Shumate

*An Attorney for Plaintiff Wendy's
Netherlands B.V.*